

# TENNESSEE REGULATORY AUTHORITY

Pat Miller, Chairman  
Deborah Taylor Tate, Director  
Sara Kyle, Director  
Ron Jones, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## NOTICE OF FILING

**DOCKET NO. 01-00987**

**IN RE: PETITION FOR INTERCONNECTION BY CINERGY  
COMMUNICATIONS COMPANY AGAINST BELL SOUTH  
TELECOMMUNICATIONS, INC.**

**DATE: March 28, 2005**

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On March 14, 2005, the panel assigned to this docket heard oral argument from the parties on the issue of whether BellSouth must provide DSL to CLEC UNE-P customers. During oral argument the parties discussed the potential impact of an anticipated order from the Federal Communications Commission ("FCC") on the issue in this docket. The panel determined that the parties could comment regarding the order upon entry provided the order is issued in the near future.

On March 25, 2005, the FCC issued an order in WC Docket No. 03-251, *In the Matter of BellSouth Telecommunications, Inc. Request for Declaratory Ruling that State Commissions May Not Regulate Broadband Internet Access Services by Requiring BellSouth to Provide Wholesale or Retail Broadband Services to Competitive LEC UNE Voice Customers*. Pursuant to the directive of the panel on March 14, 2005 the parties shall provide comments on the impact of the FCC Order in WC Docket No. 03-251 upon the open issue in TRA Docket No. 01-00987. All comments shall be filed no later than 2:00 p.m. on Monday, April 11, 2005.

For the Tennessee Regulatory Authority:

  
Pat Miller, Chairman

Original filed in Docket No. 01-00987  
cc: Parties of Record